

IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicants: Sandell et al. :
Serial Number: 09/475,630 :
Filed: December 30, 1999 :
For: INTERNET BASED GOODS :
DELIVERY SYSTEM :

Group Art Unit:

RECEIVED
SEP 16 2002
OFFICE OF PETITIONS

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

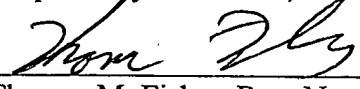
Express Mail mailing label number: EV 130048781 US
Date of Mailing: June 21, 2002

I certify that documents listed below:

- Response to Notice To File Missing Parts Of Nonprovisional Application (2 pages, in duplicate)
- Copy of Notice To File Missing Parts Of Nonprovisional Application (2 pages)
- Copy of Declaration And Power Of Attorney of Randall Joseph Sandell, Frank Anthony Gigliotti, Mark Daniel Shirkness and Gregory Todd Ellington (1 page)
- A copy of the Associate Power Of Attorney, Change of Correspondence Address Form, Return Post Card and Stamped-Received Return Post Card which was filed with the USPTO on December 18, 2001. (4 pages)
- Copy of Status Letter Reply (1 page)
- Copy of Notice of Abandonment (1 page)
- Certificate Of Mailing By Express Mail (1 page)
- Return Post Card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to the Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Respectfully Submitted,


Thomas M. Fisher, Reg. No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicants: Sandell et al.	:	
	:	Group Art Unit:
Serial Number: 09/475,630	:	
	:	
Filed: December 30, 1999	:	
	:	
For: INTERNET BASED GOODS	:	
DELIVERY SYSTEM	:	

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 17, 2002 (Part 2 – Copy To Be Returned With Response is enclosed), enclosed is a copy of the fully executed Declaration and Power of Attorney of Randell Joseph Sandell, Frank Anthony Gigliotti, Mark Daniel Shirkness, and Gregory Todd Ellington.

Also, enclosed is a copy of the Associate Power Of Attorney, Change of Correspondence Address Form, Return Post Card and Stamped-Received Return Post Card which was filed with the USPTO on December 18, 2001.

In addition, Applicants filed a Status Request with the USPTO on December 18, 2001. On February 6, 2002, Applicants received a telephone call from Mr. Vaughn of the USPTO, TC Customer Service 2100 group, and learned that the above-referenced application was abandoned. Applicants additionally received a Status Letter Reply that indicated the application was abandoned April 10, 2000 for failure to respond to a Notice of Incomplete Application mailed February 8, 2000. Enclosed is a copy of the Status Letter Reply. Also enclosed is a copy of an

abandonment letter dated February 26, 2001.

Applicants requested a copy of the Notice of Incomplete Application dated February 8, 2000, but instead received a Notice File Missing Parts Of Nonprovisional Application dated May 17, 2002.

Applicants' file does not contain a Notice To File Missing Parts Of Nonprovisional Application nor a Filing Receipt dated any date other than May 17, 2002. Applicants have inspected the USPTO's file which too does not contain a Notice To File Missing Parts Of Nonprovisional Application nor a Filing Receipt dated any date other than May 17, 2002.

Applicants respectfully submit that the Notice To File Missing Parts Of Nonprovisional Application and Filing Receipt dated May 17, 2002, is the only Notice To File Missing Parts Of Nonprovisional Application and Filing Receipt sent by the USPTO to Applicants. Accordingly, Applicants request that this Response be accepted as timely filed and examination of this application be continued. If this application is abandoned then Applicants request that the holding of abandonment be withdrawn and examination of the application be continued.

The Commissioner is hereby authorized to charge the surcharge of \$130.00 to Deposit Account Number 01-2384. If any additional extension or other fee is required, please charge Account No. 01-2384. A duplicate of this Response is enclosed for that purpose.

Respectfully Submitted,



Thomas M. Fisher, Reg. No. 47,564
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102
(314) 621-5070

BEST AVAILABLE COPY

THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS STAMP ON
THIS CARD AND PLACE SAME IN THE OUTGOING MAIL TO SHOW THE FOLLOWING
PAPERS HAVE BEEN RECEIVED.

Atty Dkt. No.: 9D-EC-19310

Applicant: Sandell et al.

Serial No.: 09/475,630

Filed: December 30, 1999

For: INTERNET BASED GOODS DELIVERY SYSTEM

Enclosed:

Associate Power of Attorney and Change of Correspondence Address (1 pg.)

Change of Correspondence Address Form (1 pg.)

TMF/meg



STATUS LETTER REPLY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Washington, D.C. 20231

Serial Number: 09/475630

Group Art Unit: 2161

Filing Date: 12/30/1999

Attorney Reference: 9D-EC-19310-

REQUESTER: Thomas Fischer

☒ Attorney of Record

- ☐ Not of Record. Therefore, the following status information is being released to the following ATTORNEY OF RECORD: _____
- ☐ Not of Record. Unfortunately, the status information can not be released because the requestor is not of record. If the requester should be of record, please forward additional changes to the Power of Attorney to the Customer Service Office.

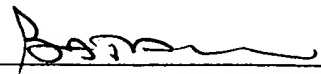
STATUS INFORMATION

☒ Action by the examiner

Expected date for action on this application

Month: _____ Year: _____ At this time, the average period between the filing date and issue of a first action on the merits for this art unit is: _____

☒ Other (explain) Case Abandoned for Incomplete
Application 04/10/2000. Incomplete Application
Status mailed 02/08/2000


Customer Service Office
Technology Center 2100
(703) 306-5631 (voice)
(703) 746-7240 (fax)

THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS STAMP ON THIS CARD AND PLACE SAME IN THE OUTGOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

Atty Dkt. No.: 9D-EC-19310 (13307-174)
Applicant: Sandell et al.
Serial No.: 09/475,630
Filed: December 30, 1999
For: INTERNET BASED GOODS DELIVERY SYSTEM

Enclosed:
Response to Notice To File Missing Parts Of Nonprovisional Application (2 pages, in duplicate)
Copy of Notice To File Missing Parts Of Nonprovisional Application (2 pages)
Copy of Declaration And Power Of Attorney of Randall Joseph Sandell, Frank Anthony Gigliotti, Mark Daniel Shirkness and Gregory Todd Ellington (1 page)
A copy of the Associate Power Of Attorney, Change of Correspondence Address Form, Return Post Card and Stamped-Received Return Post Card which was filed with the USPTO on December 18, 2001. (4 pages)
Copy of Status Letter Reply (1 page)
Copy of Notice of Abandonment (1 page)
Certificate Of Mailing By Express Mail (1 page)
Return Post Card

EV130048781US

TMF:meg

Mailed: June 21, 2002

Express Mail Label EV130048781US

RECEIVED
SEP 16 2002
OFFICE OF PETITIONS

ORIGIN (POSTAL USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO Zip Code 63155	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Date In Mo. Day Year 6 21 02	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$ 12.45	Delivery Attempt Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Time In 2030	Military <input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Delivery Date Mo. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Weight lbs. 2	Int'l Alpha Country Code	COD Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. (Wish delivery to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location) and I authorize that delivery employee to sign for article on my behalf.		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials AW	Insurance Fee	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. X631707			FEDERAL AGENCY ACCT. NO. OR POSTAL SERVICE ACCT. NO.		
FROM: (PLEASE PRINT) THOMAS M. FISHER ARMSTRONG TEASDALE LLP 1 METROPOLITAN SQ STE 2600 SAINT LOUIS MO 63102-2740 13307-174			TO: (PLEASE PRINT) MISSING PARTS SUX COMMISSIONER FOR PATENTS WASHINGTON DC 20231-0001		

PRESS HARD.
You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com